

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 19, 2004**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,  
Deputy Clerk.

Each of the following:

B165660 People v. Silva  
B166841 People v. Mean et al.  
B168170 People v. Alvarez et al.  
B168631 People v. Christian A.  
B170597 People v. Sanchez  
B170731 People v. Baeza  
B171543 Truck Ins. Exchange v. Fremont Indemnity et al.  
B171811 County of LA v. Lexington National Ins. Co.  
B171962 People v. Flores  
B173172 People v. Ferrera  
B173763 People v. Arteaga  
B173909 DCFS v. Joseph K.  
B174163 DCFS v. Sidnicka W. et al.  
B174367 People v. Toney et al.  
B174730 DCFS v. Laura S.

Argument waived, cause submitted.

B173188 People  
v.  
Pound

Merits:

Argued by Lynette Gladd Moore for appellant and by Alan D. Tate, Deputy  
Attorney General, for respondent. Cause submitted.

DIVISION ONE (Continued)

B166693     People  
              v.  
              Mallard

Merits:

Argued by Marilee Marshall for appellant and by Robert Henry, Deputy Attorney General, for respondent. Cause submitted.

Ortega, J. leaves the bench.

B171425     People  
              v.  
              Valenzuela

Merits:

Argued by Joanna McKim for appellant and by Jeffrey B. Kahan, Deputy Attorney General, for respondent. Cause submitted.

B165402     Boranian et al.  
              v.  
              Clark

Merits:

Argued by Janice R. Mazur for appellant and by Tamila C. Jensen for respondents. Cause submitted.

B173572     Los Angeles County, D.C.S.  
              v.  
              Steve B.

Merits:

Argued by Robert J.F. de Klerk for appellant and by Jerry M. Custis, Deputy County Counsel, for respondent. Cause submitted.

## DIVISION ONE (Continued)

B176183 United Parcel Service, Inc. et al.  
v.  
Superior Court, Los Angeles County  
(Michael Gnesda, r.p.i.)

Merits:

Argued by David W. Wiechert for real party in interest and by Theodore Kevin Roosevelt for petitioners. Cause submitted.

B169084      Mediterranean Sea Partners  
v.  
Eugene Lin et al.

Merits:

Argued by Victor B. Meyen for appellants and by Scott A. Chaplan for respondent. Cause submitted.

B170646 Eugene Lin et al.  
v.  
Mediterranean Sea Partners

Merits:

Argued by Victor B. Meyen for appellants and by Scott A. Chaplan for respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B172487 People (Not for Publication)  
v.  
Hood

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Doi Todd, J.

## DIVISION TWO (Continued)

B169504      People                                  (Certified for Partial Publication)  
v.  
Stone

The restraining orders against appellant are reversed. The judgment is otherwise affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.  
Ashmann-Gerst, J.

[illegible]

The order appealed from is modified to provide that condition No. 15, the condition forbidding minor to associate with anyone disapproved of by his parents, is modified to read, “Do not associate with anyone you know to be disapproved of by your parents.” The order is otherwise affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

DIVISION THREE

B175597 People (Not for Publication)  
v.  
Kassabian

The judgment (order revoking probation) is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

### DIVISION THREE (Continued)

B174168 People (Not for Publication)  
v.  
Deville

The appeal is dismissed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

## DIVISION FOUR

B168209 Burns International Security Services Corp. (Certified for Publication)  
v.  
County of Los Angeles et al.

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

B174606 Benun  
v.  
SCLA  
Country Villa East LP, et al.

Filed order certifying opinion for publication.

B152959 Boeken  
v.  
Phillip Morris Incorporated

Filed order granting petition for rehearing.

October 19, 2004 (Continued)

## DIVISION FOUR (Continued)

B165771 California Fair Employment and Housing Commission et al.  
v.  
Gemini Aluminum Corporation

Filed order denying petition for rehearing.

DIVISION FIVE

B174890      Talent Tree, Inc.      (Not for Publication)  
v.  
Workers Compensation Appeals Board  
Tammy Walerstein, Respondent

The Board's order is annulled.

Grignon, Acting P.J.

I concur: Armstrong, J.  
I dissent: Mosk, J. (Opinion)

B176918      Amanza Smith      (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(L'Oreal USA, Inc., r.p.i.)

Petition denied by opinion. In light of the prior uncertainty in the law, the parties are to bear their own costs in this writ proceeding.

Grignon, J.

We concur:   Turner, P.J.  
                     Mosk, J.

DIVISION FIVE (Continued)

B173756      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Robert R., Sr.

The judgment is affirmed.

Mosk, J.

We concur:   Grignon, Acting P.J.  
                 Armstrong, J.

DIVISION SEVEN

B167481      People      (Not for Publication)  
                 v.  
                 Haney

Upon remand, the superior court shall cause its clerk to prepare an amended sentencing minute order and abstract of judgment consistent with this opinion. In all other respects, the judgment is affirmed.

Zelon, J.

We concur:   Johnson, Acting P.J.  
                 Woods, J.

B172245      Guy      (Not for Publication)  
                 v.  
                 Jordan

The judgment is reversed and the matter remanded for further proceedings not inconsistent with this opinion. Appellant shall recover his costs on appeal.

Zelon, J.

We concur:   Perluss, P.J.  
                 Woods, J.

DIVISION SEVEN (Continued)

B167125      Greyhound Lines, Inc.      (Not for Publication)  
                 v.  
                 D'Ambrosio, M.D.

The judgment is affirmed. Respondents are to recover their costs on appeal.

Zelon, J.

We concur:   Johnson, Acting P.J.  
                 Woods, J.